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JUN 25 2008

Application No.: 10/535,035

Docket No.: JCLA12543-R

REMARKSPresent Status of the Application

It has been noted that Applicants' arguments previously filed with respect to claims 1-8 have been considered by the Office, but said arguments have been deemed moot in view of the new grounds of rejection. Specifically, claims 1-8 remain pending in the application, while claims 1-3 and 5-8 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-7 of copending Application No. 10/791,829. According to the detailed action, even though the assertedly conflicting claims in the two applications are not considered identical, the Office has not regarded the claims in the copending Application as patentably distinct from the claims of the current case because the claims of the copending application assertedly encompass the claims of the instant application. A timely filed terminal disclaimer is thus required to overcome the provisional obviousness-type rejection.

On the other hand, claim 4 has been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Office has also indicated that none of the prior art of record fairly discloses or renders obvious the claim, in particular the limitation that the ratio of water introduction rate to an effective area.

In response thereto, a terminal disclaimer executed by the authorized power of attorney is filed herewith to obviate the rejection based on the nonstatutory double

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patenting. Upon entry of the timely filed statutory disclaimer, claims 1-3 and 5-8 should then be placed in proper condition for allowance.

Since the allowability of claim 1 on which claim 4 depends is affirmed for at least the same reasons advanced above, claim 4 is now submitted to be dependent upon the allowable base claim 1 and thus should also be allowable.

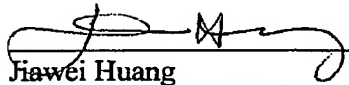
CONCLUSION

For at least the foregoing reasons, it is believed that the claims 1-8 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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